

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE APPROPRIATE DOCUMENTATION TO VACATE A PORTION OF A PUBLIC USE EASEMENT LYING ACROSS YORK COUNTY TAX MAP PARCEL 18A-01-00-012F (301 WATER STREET, YORKTOWN) AND TO AMEND THE TERMS AND CONDITIONS OF THE EASEMENT TO SEPARATE THE EASEMENT AREA INTO AN AREA FOR THE CONSTRUCTION OF A PEDESTRIAN WALKWAY AND A SEPARATE AREA FOR SHORELINE STABILIZATION

WHEREAS, by a deed dated February 28, 2003, recorded as Instrument No. LR030006339, the Jamestown-Yorktown Educational Trust conveyed to the County a certain easement for pedestrian access and shoreline stabilization across certain property in Yorktown, York County, Virginia, being Tax Map Parcel 18A-01-00-012F (GPIN P12C-1839-1866), such easement being approximately 69' wide as shown on a plat dated February 21, 2002 and attached to the referenced deed; and

WHEREAS, the County has agreed to convey, or cause to be conveyed to the Museum the said Parcel 12F subject, however, to separate easements for pedestrian access and shoreline stabilization, having a total width of approximately 60' as shown on a certain plat made by AES Consulting Engineers dated February 27, 2003, attached to the County Attorney's memorandum of February 17, 2004, such easement to be further subdivided into an easement Area A and an easement Area B for the maintenance of the pedestrian walkway and for shoreline stabilization purposes, respectively; and

WHEREAS, this Board, following a duly advertised public hearing in accordance with Code of Virginia § 15.2-1800, desires to authorize the County Administrator to execute documentation to vacate such portion of the existing easement as lies outside of the easement area as depicted on the plat of February 27, 2003 and referenced herein, and otherwise to agree to divide the easement area as shown on said plat for the purpose as stated herein.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of _____, 2004, that the County Administrator be and hereby is authorized to execute such deed, deeds or other documents as may be required to vacate that portion of the easement conveyed to the County by the deed referenced above and recorded as Instrument No. LR030006339 as may lie outside of the boundaries of a revised easement as shown on a certain plat entitled "Plat of Permanent Public Use Easement From: The York County Board of Supervisors, To: County of York, Virginia," dated February 27, 2003, made by AES Consulting Engineers, and to agree further that the remaining easement area shall be subdivided into Areas A and B, Area A as depicted on the referenced plat to be used for the construction of a pedestrian walkway, the use of which shall be subject to rules and regulations adopted by the County, and Area B to be utilized for shoreline stabilization purposes, such area to be open to the public subject, however, to reasonable rules and regulations as may be promulgated by the Watermen's Museum, to whom the underlying parcel is contemplated to be conveyed. Any such deed, deeds or other documents shall be approved as to form by the County Attorney.